

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

XAVIER BUCKNER,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 20-CV-00001-SMY
	)	
WARDEN DONALD HUDSON.	)	
	)	
Respondent.	)	

**ORDER**

**YANDLE, District Judge:**

On January 2, 2020, Petitioner filed a Petition under 28 U.S.C. § 2241 seeking relief from his sentence premised on *Rehaif v. United States*, 139 S.Ct. 2191 (2019) (Doc. 1). He was released from federal custody on July 22, 2022, while his Petition remained pending. As a result, Petitioner was ordered to show cause in writing on or before August 19, 2022 why his claims should not be dismissed as moot (Doc. 22). The show cause order mailed to Petitioner at the address on record was returned as undeliverable (Doc. 23), and Petitioner has not responded.

After a habeas petitioner has been released from custody, “concrete and continuing injury” or “collateral consequences” must exist for the action to present a continued case or controversy. *Spencer v. Kemna*, 523 U.S. 1, 7 (1998). Here, the Petitioner has not identified any such injury or collateral consequence. Accordingly, the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. 1) is **DISMISSED with prejudice**. The Clerk of Court is **DIRECTED** to enter judgment accordingly and to close the case.

**IT IS SO ORDERED.**

**DATED: August 22, 2022**



**STACI M. YANDLE**  
**United States District Judge**